

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**E.F.A., et al.,**

Plaintiffs,

-against-

**New York City Department of Education,**

Defendant.

24-cv-01628 (JAV) (RFT)

**ORDER**

**ROBYN F. TARNOFSKY, United States Magistrate Judge:**

WHEREAS on March 4, 2024, Plaintiff filed a claim seeking attorneys' fees pursuant to the fee-shifting provision of the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1415(i)(3) (ECF 8); and

WHEREAS on March 7, 2024, this case was referred to a magistrate judge for general pretrial management and to issue a report and recommendation on any dispositive motions (ECF 8); and

WHEREAS, on December 9, 2024, Plaintiff filed a motion for summary judgment (ECF 31-38), which motion was fully briefed by January 30, 2025 (ECF 39-44, 47-50); and

WHEREAS, a case management order was filed by the Second Circuit in the tandem appeals *Y.G. v. New York City Department of Education*, No. 22-1184, providing that additional IDEA fee dispute appeals by the parties in that matter will be remanded to the district court for reconsideration following determination of the *Y.G.* tandem appeals; and

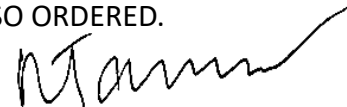
WHEREAS even though the order's text is limited to the parties in *Y.G.*, the Second Circuit has been remanding appeals filed by other parties if they raise issues similar enough to those in the *Y.G.* tandem appeals that remand is appropriate; and

WHEREAS Plaintiff's motion may raise issues similar to those pending in the *Y.G.* tandem appeals,

IT IS HEREBY ORDERED that Plaintiff shall file a letter on the docket by **February 18, 2025**, stating whether Plaintiff believes that this case raises issues similar to those in the *Y.G.* tandem appeals, such that a stay would be warranted pending the Second Circuit's decision in the *Y.G.* tandem appeals; and that Defendant shall file any letter in reply by **February 24, 2025**.

DATED: February 10, 2025  
New York, NY

SO ORDERED.

A handwritten signature in black ink, appearing to read 'RTarnofsky', written over a horizontal line.

**ROBYN F. TARNOFSKY**  
United States Magistrate Judge